

AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s):

Docket No.

61033-CON (50927)

Serial No.
08/984,476Filing Date
December 3, 1997Examiner
D. RomeoGroup Art Unit
1647Invention: **SPECIFIC ANTAGONISTS FOR GLUCOSE-DEPENDENT INSULINOTROPIC POLYPEPTIDE (GIP)**TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.

A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	76 -	35 =	41	x \$9.00	\$369.00
INDEP. CLAIMS	34 -	8 =	26	x \$43.00	\$1,118.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$1,487.00

No additional fee is required for amendment.

Please charge Deposit Account No. 04-1105 in the amount of \$1,487.00

A check in the amount of to cover the filing fee is enclosed.

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No.

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

Peter J. Manso
Signature

Dated: MARCH 29, 2004

Peter J. Manso
Reg. No. 32,264
EDWARDS & ANGELL, LLP

Customer No. 21874

CC:

I certify that this document and fee is being deposited on March 29, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. as Express Mail EV 264205753 US

Peter J. Manso
Signature of Person Mailing CorrespondencePeter J. Manso
Typed or Printed Name of Person Mailing Correspondence



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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL		Application Number	08/984,476
Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		Filing Date	Dec. 3, 1997
		First Named Inventor	Wolfe, M. Michael
		Group Art Unit	1647
		Examiner Name	Romeo, D.
		Attorney Docket No.	61033(50927)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s) – Newly Executed Declaration and Power of Attorney
 - iii. Amendment Transmittal (including additional fees)
 - iv. Other _____
Petition for Extension of Time (to March 29, 2004); Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address Form; Statement Under 37 CFR 3.73(b); Substitute Specification (including Substitute Claims, Sequence Listing, and Substitute Drawings); Return Receipt Postcard.

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 CFR 1.17 (e) is required by 37 CFR 1.114 when the RCE is filed.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment in fees, including any and all filing fees, petitions, extensions of time, and issue fees, concerning this communication or any other communication involving this application, or to credit any overpayment to Edwards & Angell, LLC Deposit Account No. 04-1105 under order No. 49570(70551)

- i. RCE fee required under 37 CFR 1.17(e) - \$385.00
- ii. Extension of time fee (37 CFR 1.136 and 1.17) - See attached Petition \$1,005.00
- iii. Other _____
- b. Check in the amount of \$ \$1,390.00 enclosed
- c. Payment by Deposit Account in the amount of \$ 1,487.00

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Peter J. Manso	Registration No. (Attorney/Agent)	32,264
Signature			Date
			March 29, 2004

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV264205753 US in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 29, 2004

Signature: (Peter J. Manso)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EV 264205753 US
Date of Deposit: March 29, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Reter J. Manso
Name of person mailing paper of fee

March 29, 2004
Date

Signature of person mailing paper of fee

APPLICANTS: M. Michael Wolfe et al.
SERIAL NO.: 08/984,476
FILED: December 3, 1997
EXAMINER: D. Romeo
GROUP: 1647

FOR: SPECIFIC ANTAGONISTS FOR GLUCOSE-DEPENDENT
INSULINOTROPIC POLYPEPTIDE (GIP)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks. The following items are filed contemporaneously herewith:

- (1) Request for Continued Examination (RCE);
- (2) Amendment Transmittal Form;
- (3) Newly Executed Declaration and Power of Attorney under 37 C.F.R. §1.67(a);
- (4) Revocation of Power of Attorney;

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FC:2202

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369.00 DA

- (5) Statement Under 37 C.F.R. 3.73(b);
- (6) Clean version of the Claims (herein);
- (7) Marked-Up Version of the Claims;
- (8) Clean Version of Substitute Specification, including sequence listing and claims as amended herein (Word Format);
- (9) Marked-Up Version of Substitute Specification including marked-up version of claims as amended herein (Word Format);
- (10) Petition for Extension of Time (5 months); and
- (11) Set of Substitute Drawings (6 sheets).

Applicants filed a Petition to Revive Application under 37 C.F.R. §1.137(b) and a Notice of Appeal on July 14, 2003. On August 29, 2003, the Petition to Revive Application was granted and the Notice of Appeal was entered. A two-month period for filing an appeal brief was set to run from August 29, 2003 and a response was therefore due on October 29, 2003. Applicants submit herewith a Petition for Extension of Time and appropriate Fee to extend the deadline for response by five months to March 29, 2003. Accordingly, this Amendment and the Request for Continued Examination are being timely filed.

Please amend the above-identified application as follows:

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Drawings begin on page 4 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this paper.

Remarks begin on page 18 of this paper.